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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

BERKSHIRE SETTLEMENTS, INC.,  
A Georgia Corporation, and  
CHURCH STREET NOMINEES LTD.  
An Isle of Man Corporation

Plaintiff,

v.

ALEXANDER ASHKENAZI,  
An Individual and as Trustee for  
HALPERT ALEXANDER TRUST,  
A New York Trust,  
MALI HALPERT, an Individual, and  
CAMBRIDGE LIFE SETTLEMENTS, LLC  
A New York Corporation

Defendants.

No: 09-CV-00006 (FB) (JO)

**NOTATION OF DEFAULT**

I. I, Robert C. Heinemann, Clerk of Court of the United States District Court for the Eastern District of New York, do hereby certify that the affidavit of service in the above-captioned action indicates that crossclaim defendant **Alexander Ashkenazi** was properly served with crossclaim plaintiff John Hancock Life Insurance Company (U.S.A.)'s ("Hancock") Answer to Plaintiff's Second Amended Complaint, Affirmative Defenses and Crossclaims, a Summons, and Hancock's Rule 7.1 statement on September 14, 2009, by "Nail and Mail" service

at 1426 57<sup>th</sup> Street, Brooklyn, New York 11219 in a highly visible and well lit area after three attempts at personal service on August 27, 2009, September 3, 2009 and September 10, 2009. The Affidavit of Service further indicates that on September 16, 2009, the process server mailed via first class mail a copy of Hancock's Answer to Plaintiff's Second Amended Complaint, Affirmative Defenses and Crossclaims, a Summons, and Hancock's Rule 7.1 statement to **Alexander Ashkenazi** at the address listed above. On September 21, 2009, the process server's Affidavit of Service was filed in this action. (Docket #58).

I further certify that a certificate of service executed by Hancock's counsel indicates that on October 6, 2009, Hancock served its Answer To Third Amended Complaint, Affirmative Defenses and Crossclaims on **Alexander Ashkenazi** in accordance with the Federal Rules of Civil Procedure at the address set forth above. The certificate of service was attached to and filed with Hancock's Crossclaims. (Docket #63).

I further certify that a review of the Court file and docket entries indicates that Crossclaim Defendant **Alexander Ashkenazi** has failed to plead or otherwise defend in response to Hancock's Crossclaims. Accordingly, the default of Crossclaim Defendant **Alexander Ashkenazi** is hereby noted pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: Brooklyn, New York  
November \_\_, 2009

ROBERT C. HEINEMANN  
Clerk of Court

By: \_\_\_\_\_  
Deputy Clerk

**CERTIFICATE OF SERVICE**

I hereby certify that on this 13 day of November, 2009, I caused to be served the attached NOTATION OF DEFAULT in accordance with the Federal Rules of Civil Procedure, and/or the Eastern District's Local Rules, and/or the Eastern District's Rules on Electronic Service upon the following parties and participants:

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Dated: November 13, 2009

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*Crossclaim Defendant*



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